

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on October 6, 2003, and the references cited therewith.

Claims 1-18 are amended, and no claims are cancelled or added; as a result, claims 1-20 remain pending in this application.

§102 Rejection of the Claims

Claims 1-3, 5-8, 11 and 13-16 were rejected under 35 USC § 102(b) as being anticipated by Monroe.

Monroe describes various embodiments of a visual image transmission system. Monroe further considers “in its most comprehensive form” transmitting and receiving data including “audio, documentary and visual image data to and from standard remote stations” (*see*, the Abstract). The cited section of Monroe (paragraph 0089) describes how the imaging system that performs image capture and sending is further operable to perform these functions in response to a remote trigger device, or to perform other functions such as downloading and loading firmware.

Monroe therefore does not teach automatic retrieval of firmware or any type of retrieval of firmware upgrade information as is recited in the pending claims, and does not teach automatic installation of the downloaded firmware. Further, the imaging device of paragraph 0089 of Monroe describes functions of the computerized image capturing and transmission device, and not of the receiver, which is taught to be a simple fax machine (*see*, e.g. element 34 of Fig. 1).

Because the image capture and transmission device having remote trigger device actuated firmware functionality is nowhere described as having printing functionality, applicant has amended the pending claims to further distinguish them from the Monroe reference by reciting a printing device rather than an imaging device in all pending claims.

The pending claims each therefore recite multiple elements not present in the cited Monroe reference, and so are allowable over Monroe. Reexamination and allowance of the pending claims is therefore respectfully requested.

§103 Rejection of the Claims

Claims 4, 9-10, 12 and 17-20 were rejected under 35 USC § 103(a) as being unpatentable over Monroe.

These claims are believed allowable to the extent that they depend on allowable base claims as explained above, and are further allowable for incorporation of limitations distinguishing them from Monroe as described above in greater detail. Should this single-reference § 103 rejection be maintained, applicant further requests that references showing each element of the pending claims be cited pursuant to M.P.E.P. § 2144.03, and that proper motivation for combination of such references be shown.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 349-9581) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

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By their Representatives,

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Date

Jan 6 04

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6th day of January, 2004.

Dawn M. Hale

Name

Dawn M. Hale

Signature